

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 57694

Stanley R. Jeffrey
Nancy V. Jeffrey

2429 Woodcroft Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 19, 2009, for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428, failure to license/remove all untagged/inoperative or damaged motor vehicles on residential property known as 2429 Woodcroft Road, 21234.

On April 13, 2009, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 25, 2009 requesting removal of untagged and/or inoperative motor vehicle. This Citation was issued on April 13, 2009. Photographs in the file show a large dark Cadillac sedan with flat tires and no tags.

B. In 2007, Citations were issued to Respondents for the same zoning violation, for two different vehicles. The Citations were dismissed after one vehicle was removed and the other vehicle was properly licensed and tagged.

C. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondents must either remove or repair and properly tag all vehicles that are stored outside on their property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondents correct the zoning violation by June 17, 2009. If the Respondent fails to correct the violation by that date, the full civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 28th day of May 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

